

Exhibit 1

UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

In re:

FREEDOM INDUSTRIES, INC.

Debtor.

Chapter 11

Case No. 2:14-bk-20017

OMNIBUS AFFIDAVIT

STATE OF WEST VIRGINIA

COUNTY OF Kanawha

)
) SS:
)

The undersigned, being duly cautioned and sworn, hereby deposes and says as follows:

1. This Affidavit relates to Freedom Industries, Inc.'s ("Freedom" or "Debtor") removal of various West Virginia state court lawsuits commenced against Freedom that arise out of an incident that occurred on or about January 9, 2014 involving one of Freedom's storage tanks located at its Charleston, West Virginia facility (the "Incident"). Facts surrounding the Incident are subject to pending investigations by Freedom and various regulatory and other governmental authorities.¹

2. During the month of January 2014, approximately 31 lawsuits had been commenced against Freedom and other parties in state and federal courts relating to the Incident.

3. A vast majority of Freedom's unsecured claims are unliquidated claims pending the outcome of these state and federal court actions arising out of the Incident.

4. Freedom has limited funds and these funds will be utilized to defend these state and federal court actions arising out of the Incident.

¹ The facts and circumstances relating to the Incident as described herein are intended for explanatory purposes only and shall not prejudice the rights, claims, or defenses of any party in interest, including, without limitation, the rights of any purported holder of a claim arising from or related to the Incident, and correspondingly, all rights, claims, and defenses of the Debtor and other parties in interest are preserved.

Further Affiant sayeth this 21 day of February 2014 naught.



Freedom Industries, Inc.

By: _____

Gary Southern, President of Freedom
Industries, Inc.

Sworn and subscribed before me this
21st day of February, 2014



Notary Public

My commission expires: 11/17/18